IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 25053 of 1998

Between:

1.. Bawar Singh, S/o Raghuveer Singh,
R/o Darulshafa, Hyderabad.
(AP-5-T-786)
2.. Shaik Abdul Azeez, S/o Shaik Abdul Jabbar,
R/o 11-3-563/2, Mallepalli,
Hyderabad. (AP-9-T-7827)
3.. Shaik Abdul Ali, S/o Shaik Mahmad Ali,
R/o 5-5-447, M.J.Road
Hyderabad. (AP-25-T-1660) **..... PETITIONERS**

AND

1 Secretary
Regioanl Transport Authority, East Zone,
Hyderabad.
2 Secretary
Regioanl Transport Authority, West Zone,
Hyderabad.
3 Secretary
Regioanl Transport Authority, Central Zone,
Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of mandamus or any other appropriate writ, order or direction declaring the action of the respondents insisting the Gross vehicle weight of the vehicles of the petitioners bearing registration numbers as mentioned in the cause title as 6000Kgs as illegal, contrary to law and further hold that the said vehicles are entitled to be assigned a gross vehicles weight of 9000kgs is in accordance with section 58(4) and consequently direct the respondents herein to enter the gross vehicle weight of

9000 kgs in the registration certificates of the vehicle of the petitioners

Counsel for the Petitioner:MR.C.H.RAVI

Counsel for the Respondent No.: GP FOR TRANSPORT

The Court made the following :

ORDER:

This writ petition is filed seeking to declare the action of the respondents in insisting the gross vehicle weight of the vehicles of the petitioners bearing registration No. AP 5T 786, AP 9T 7827, and

AP 25T 1660 respectively as 6000 Kgs as illegal and to direct that the said vehicles are entitled to be assigned a gross vehicle weight of 9000 Kgs in accordacne with section 58 (4) of the Motor Vehicles Act, 1988.

When the matter is taken up for hearing, it is submitted by the learned counsel for the petitioners and conceded by the learned Government Pleader for Transport that the subject matter of this writ petition is squarely covered by the judgment of the Apex Court in

N. Venkateswara Rao vs. S.T.A.[1], wherein the Apex Court elaborately considered the matter and dismissed the appeals and the W.P.No.6211 of 1990 and batch, orders in which were challenged therein.

In the circumstances, following the above judgment, this Writ Petition is also dismissed for the same and similar reasons. No costs.

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N.V. RAMANA, J.

01-03-2005

tvk

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 Secretary
Regioanl Transport Authority, East Zone,
Hyderabad.
2 Secretary
Regioanl Transport Authority, West Zone,
Hyderabad.
3 Secretary
Regioanl Transport Authority, Central Zone,
Hyderabad.

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